

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

OWEN COLE,

NOTICE OF MOTION

Plaintiff,

10 CV 5308 (BSJ) (KNF)

-against-

THE CITY OF NEW YORK, DETECTIVE LUCIOUS
JOHNSON, and, POLICE OFFICER JOHN DOE 1-10,

Defendants.

-----X

PLEASE TAKE NOTICE that, upon the annexed Memorandum of Law dated April 8, 2011, defendants City of New York and Lucious Johnson will move this Court before the Honorable Kevin Nathaniel Fox, United States Magistrate Judge, at the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, New York, 10007, at a date and time to be determined, for an Order quashing plaintiff's subpoenas seeking the deposition testimony of Assistant District Attorney Thomas Van Noy, Grand Jury Court Reporter Ms. Bonnie Greenstein, and Administrative Supervisor Court Reporter Ms. Joan Maloney and further seeking documents relating to the "transcription or retranscription" of the Grand Jury testimony of Detective Lucious Johnson in plaintiff's underlying criminal prosecution and documents pertaining to the employment and termination of employment of Grand Jury Court Reporter Ms. Loriann Durocher, pursuant to Rules 26 and 45 of the Federal Rules of Civil Procedure.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's Order dated March 31, 2011, plaintiff's response if any, is due no later than April 15, 2011, and defendants' reply, if any, is due no later than April 20, 2011.

Dated: New York, New York
April 8, 2011

MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
Attorney for Defendants City and Johnson
100 Church Street, Room 3-188
New York, New York 10007
(212) 442-2715

By: /s/
Shlomit Aroubas
Assistant Corporation Counsel
Special Federal Litigation Division

TO: Michael Colihan, Esq. (by First Class Mail)
Attorney for Plaintiff

Docket No 10 CV 5308 (BSJ) (KNF)
UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK
OWEN COLE, <div>Plaintiff,</div> <div>-against-</div> THE CITY OF NEW YORK, DETECTIVE LUCIOUS JOHNSON, and, POLICE OFFICER JOHN DOE 1-10, <div>Defendants.</div>
NOTICE OF MOTION
<p>MICHAEL A. CARDOZO <i>Corporation Counsel of the City of New York</i> <i>Attorney for Defendants City and Johnson</i> <i>100 Church Street, Room 3-188</i> <i>New York, New York 10007</i></p> <p><i>Of Counsel: Shlomit Aroubas</i> <i>Tel: (212) 442-2715</i></p>
<p><i>Due and timely service is hereby admitted.</i></p> <p><i>New York, N.Y....., 2011</i></p> <p><i>..... Esq.</i></p> <p><i>Attorney for.....</i></p>